

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

CHANDRA KISHOR,
Petitioner.
No. CIV S-03-1219-LKK-CMK-P

vs. ORDER

ATTORNEY GENERAL OF THE
STATE OF CALIFORNIA, et al.,

Respondents.

Petitioner, a state prisoner proceeding pro se, brings a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

20 Petitioner has requested the appointment of counsel (Doc. 35). There currently
21 exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner,
22 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of
23 counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R.
24 Governing § 2254 Cases. In the present case, the court does not find that the interests of justice
25 would be served by the appointment of counsel at the present time. Accordingly, petitioner’s
26 motion will be denied without prejudice to renewal, at the soonest, after respondents have filed

1 an answer.

2 Accordingly, IT IS HEREBY ORDERED that petitioner's motion for
3 appointment of counsel (Doc. 35) is denied.

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5 DATED: December 5, 2006.

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7 CRAIG M. KELLISON
8 UNITED STATES MAGISTRATE JUDGE

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